

### **REMARKS**

In the Office Action dated March 14, 2008, Claims 17, 19, 22, 23 and 25 are pending and under consideration. Claims 17, 19, 22, 23 and 25 are rejected under 35 U.S.C. §112, second paragraph, as allegedly indefinite.

This response addresses the Examiner's only rejection. Applicants therefore respectfully submit that the present application is in condition for allowance. Favorable consideration of all pending claims is therefore respectfully requested.

In the first instance, in an effort to favorably advance prosecution, Applicants have amended claims to clarify language and correct certain grammatical errors. Support for the amendments is found in the context of the claims as previously submitted. No new matter is introduced by the amendment to the claims.

Claims 17, 19, 22, 23 and 25 are rejected under 35 U.S.C. §112, second paragraph, as allegedly indefinite.

Specifically, Claim 17 is rejected as vague and indefinite in view of the preamble. The Examiner requests clarification whether the contents of (Fa, Sa) is used to further limit n kind of different nucleic acids.

Applicants respectfully submit that the preamble of Claim 17, as written, clearly recites n kinds of different target nucleic acids (Fa, Sa), each having a predetermined first partial sequence Fa and a predetermined second partial sequence Sa.

The Examiner also alleges that Claim 17 is indefinite in view of step (a). The Examiner indicates that in the first part of step (a), Aa is one of the probe groups A1 to An. According to the Examiner, in the second part of step (a), the phrase "said probe Aa being respective first probes each of which has a sequence F'a complementary to the respective first

partial sequence Fa of the target nucleic acid (Fa, Sa) and a first binding molecule bound to the sequence F'a, wherein F'a is one of the sequences F'1 to F'n and wherein n is an integer of 1.0 or more" suggests that Aa is more than one different probe. As such, the Examiner alleges that the first part and the second part of step (a) do not correspond with each other.

Applicants respectfully submit that Claim 17, as amended, recites "said ~~probes~~ probe Aa being one of the respective first probes" in the second part of step (a). Support for the amendment is found in the context of the claim language as previously presented.

The Examiner further alleges that Claim 17 is vague and indefinite in view of the phrase "a combination of the D0j and D1k (D0j, D1k) being assigned respectively to the target nucleic acids (Fa, Sa)" in step (a) because it is allegedly unclear whether or not the content of (D0j, D1k) is used to further limit D0j and D1k.

Applicants respectfully submit that the language of Claim 17 is clear and not indefinite by reciting "the flag sequences D0j and D1k are located between SD and ED and a combination of the D0j and D1k (D0j, D1k) being assigned respectively to the target nucleic acids (Fa, Sa)."

The Examiner alleges that Claim 17 is vague and indefinite in view of step (b), (c) or (g) because it is unclear whether or not the contents of (Fa, Sa) are used to further limit n kind of different nucleic acids. Applicants respectfully submit that the language of step (b), (c) or (g) of Claim 17, as previously presented, is clear and not indefinite. However, in an effort to favorably advance prosecution, Applicants have further amended steps (b), (c) and (g) of Claim 17 to clarify the language. Claim 17, as amended, is clear and not indefinite. Similarly, Applicants respectfully submit that the language of Claim 17, as amended, is not vague or indefinite, as alleged by the Examiner, in steps (c) and (d) with respect to contents of (Aa, Ba) or in steps (e) to

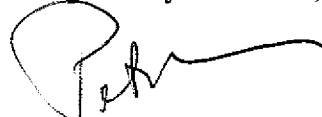
(g) with respect to the contents of (D0j, D1k). Applicants further submit that Claims 19 and 25, as amended, are not vague or indefinite with respect to the contents of (D0j, D1k), as alleged by the Examiner. Moreover, Applicants respectfully submit that Claim 22, as amended, is not vague or indefinite with respect to the contents of (Aa, Ba), as alleged by the Examiner.

The Examiner alleges that the recitation "the beads" in Claim 22 lacks antecedent basis in Claim 17. In this regard, Applicants respectfully submit that Claim 22 depends from Claim 17 and further delineates the subject matter of Claim 17 by reciting: "[t]he method according to claim 17, wherein, in said step (d), said substance capable of being paired up with the first binding molecules ~~are~~is immobilized on beads." Thus, the antecedent basis of the recitation "the beads" is found in Claim 22. Applicants have further clarified the language of, and corrected the grammatical errors in, Claim 22.

In view of the above, Applicants respectfully submit that the rejections of Claims 17, 19, 22, 23 and 25 under 35 U.S.C. §112; second paragraph, are overcome and withdrawal thereof is respectfully requested.

In view of the foregoing amendments and remarks, it is firmly believed that the subject application is in condition for allowance, which action is earnestly solicited.

Respectfully submitted,



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